IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 22629 of 2007(R)

PETITIONER:

BIJU N.V., S/O VARUNNI, AGED 30 YEARS,
NANGINI HOUSE, CHALAKUDY DESOM,
CHALAKUDY VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR.

BY ADV. SRI.JOHN NUMPELI (JUNIOR)
SRI.P.V.PAULSON

RESPONDENTS:
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1. SPECIAL SALE OFFICER,
THRICHUR URBAN CO-OPERATIVE BANK GROUP,
OFFICE OF THE ASSISTANT REGISTRAR CO-OP.SOCIETIES
(GENERAL), THRISSUR-660001.

2. THE ASSISTANT REGISTRAR OF CO-OP.
SOCIETIES(GENERAL), THRISSUR - 660001.

3. THE TRICHUR URBAN CO-OPERATIVE BANK LTD,
THRISSUR.

ADDL. R4 IMPLEADED.
4. THE JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL), THRISSUR.
(ADDL. R4 IS SUO MOTU IMPLEADED AS PER THE JUDGMENT IN THE WPC. DATED 18.9.2007).

R1, R2 & ADDL. R4 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.
R3 BY ADV. SRI.C.D.DILEEP,SC,TRICHUR URBN CO-OPBAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 22629/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE PHOTO COPY OF THE AUCTION NOTICE DATED 12.9.2006 PUBLISHED BY THE 1ST RESPONDENT.

EXT. P2 : THE TRUE COPYOF THE PAPER PUBLICATION IN MATHRUBHUMI DAILY DATED 11.9.2006.

EXT. P3 : TRUE PHOTO COPY OF THE ORDER DATED 19.9.2006 FIXING THE SALE IN THE NAME OF THE PETITIONER.

EXT. P4 : TRUE PHOTO COPY OF THE RECEIPTS DATED 19.9.2006 AND 18.10.2006 ISSUED BY THE 3RD RESPONDENT.

EXT. P5 : TRUE PHOTO COPY OF THE REPRESENTATION DATED 28.6.2007 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No. 22629 of 2007

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Dated this the 18th day of September, 2007

JUDGMENT

Petitioner has approached this court seeking a direction to confirm the sale and issue the sale certificate in accordance with law. According to the petitioner, he is the purchaser of 1 acre 7.175 cents of land in an auction held in 2006 and he deposited an amount of Rs.9,85,000/-. But no steps have been taken by the respondents for issuance of sale certificate.

2. Learned Government Pleader on instructions submits that a detailed inquiry is being conducted and a decision has to be taken in the matter. According to him the matter is pending consideration before the Joint Registrar of Co-operative Societies (General), Thrissur. The said authority is impleaded suo motu as additional fourth respondent. Government Pleader appears for the additional fourth respondent. Apparently the proceedings is under Rule 83 of the Co-operative Societies Rules.

The writ petition is disposed of directing the additional fourth

respondent to take a decision in accordance with law regarding the question of confirmation of sale within a period of one month from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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